

IN THE UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF SOUTH CAROLINA  
FLORENCE DIVISION

## ORDER

Plaintiff, Lacy McKenzie, (“plaintiff”) brought this civil rights action under 42 U.S.C. § 1983 proceeding *pro se* against defendant Deputy J.D. Outlaw. (Doc. #1). The defendant filed a motion for summary judgment on September 14, 2007. (Doc. #48). On September 17, 2007, plaintiff was provided a copy of the motion and was given an explanation of the summary judgment procedure as well as pertinent extracts from 56 of the Federal Rules of Civil Procedure as required by Rosoboro v. Garrison, 528 F.2d 309 (4<sup>th</sup> Cir. 1975). (Doc. #49). Plaintiff was advised of the possible consequences if he failed to respond to the motion for summary judgment. The plaintiff filed a response to the motion for summary judgment on October 12, 2007. (Doc. #53). This matter now comes before this Court for review of the Report and Recommendation (“the Report”) filed by United States Magistrate Judge Thomas E. Rogers, III, to whom this case had previously been assigned. (Doc. #70). In the Report, Magistrate Judge Rogers recommends that the District Court grant summary judgment in favor of the defendant as to plaintiff’s § 1983 claim, and that the Court decline to exercise jurisdiction over plaintiff’s state law causes of action. (Doc. #70). Objections to the Report were due July 21, 2008. The plaintiff has filed no objections to the Report.

This Court is charged with conducting a de novo review of any portion of the Magistrate Judge's Report and Recommendation to which a specific objection is registered, and may accept, reject, or modify, in whole or in part, the recommendations contained in that report. 28 U.S.C. § 636. In the absence of objections to the Report and Recommendation of the Magistrate Judge, this Court is not required to give any explanation for adopting the recommendation. See Camby v. Davis, 718 F.2d 198, 199 (4<sup>th</sup> Cir. 1983).

The Court has carefully reviewed the Magistrate Judge's Report and Recommendation. For the reasons articulated by the Magistrate Judge, it is hereby **ORDERED** that the Magistrate Judge's Report and Recommendation is **ACCEPTED** (Doc. #70) and the defendant's motion for summary judgment is **GRANTED** (Doc. #48), and the Court declines to exercise jurisdiction over the plaintiff's state law causes of action. Therefore, this matter is **DISMISSED**.

**IT IS SO ORDERED.**

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S/Terry L. Wooten  
Terry L. Wooten  
United States District Judge

August 12, 2008  
Florence, South Carolina